

# **Exhibit I**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CITY OF ALMATY, KAZAKHSTAN and  
BTA BANK JSC,

-vs-

Plaintiffs,  
Case Number:  
15 Civ. 5345  
(AJN) (SN)

MUKHTAR ABLYAZOV, VIKTOR KHRAPUNOV,  
ILIIYAS KHRAPUNOV and TRIADOU SPV SA,

Defendants.

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VIDEOTAPED DEPOSITION  
OF  
FELIX SATER  
THURSDAY, SEPTEMBER 13, 2018  
8:30 a.m.

Magna Legal Services  
866-624-6221  
www.MagnaLS.com

Reported by: Adrienne M. Mignano, RPR

Job Number: 426577

1 Sater

2 families.

3 Q Looking at the first just three  
4 pages of the document, three and a half,  
5 FS003 through the top of '006, does this  
6 e-mail chain relate to what you just  
7 explained to me about the abduction of  
8 Mr. Ablyazov's wife and daughter and your  
9 assistance getting a journalist to write  
10 an article?

11 MR. BOYLE: Objection.

12 A Yes.

13 Q Who is Mendel?

14 A A business associate of mine.

15 Q What is his full name?

16 A Mendel Mochkin.

17 Q And he is the person who had the  
18 contact with the Italian journalist?

19 A Yes.

20 Q You can put that aside, sir.

21 Going back to Tri-County Mall  
22 Investors for a second and the dispute  
23 that arose with Iliyas.

24 You don't recall specifically  
25 when that happened?

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CITY OF ALMATY, KAZAKHSTAN and  
BTA BANK JSC,

Plaintiffs, Case No.  
15 Civ. 5345  
-against- (AJN) (SN)

MUKHTAR ABLYAZOV, VIKTOR KHRAPUNOV,  
ILYAS KHRAPUNOV and TRIADOU SPV SA,  
Defendants.

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C O N F I D E N T I A L

Videotaped oral deposition of FELIX  
SATER, taken pursuant to subpoena, was  
held at the law offices of MOSES &  
SINGER LLP, 405 Lexington Avenue, New  
York, New York, commencing February 5,  
2019, 9:50 a.m., on the above date,  
before Leslie Fagin, a Court Reporter  
and Notary Public in the State of New  
York.

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MAGNA LEGAL SERVICES  
320 West 37th Street, 12th Floor  
New York, New York 10018  
(866) 624-6221

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2 Q. That is 2,250,000.

3 MR. HASSID: Thank you.

4 Q. What is MeM Energy Partners?

5 A. It was a company that assisted in  
6 finding the buyer.

7 Q. Who owns MeM?

8 A. I believe Mendel Mochkin.

9 Q. Why did MeM receive \$2.25 million  
10 of the proceeds of the Tri-County sale?

11 A. As the -- I just told you, as the  
12 fee for introducing us to the buyer.

13 Q. Is Mr. Mochkin the same individual  
14 who arranged for press critical of the  
15 Republic of Kazakhstan after the extradition  
16 of Mr. Ablyalov's spouse?

17 A. He helped, yes.

18 Q. Do you recall when he assisted in  
19 that effort?

20 A. I don't remember the dates.

21 Q. Was it roughly in the same time  
22 period as this transfer of funds?

23 A. Probably prior or after. No, I'm  
24 sorry, I don't remember the dates.

25 Q. Did you ever tell Mr. Mochkin that

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2 Mr. Ablyazov was connected to the Tri-County  
3 deal?

4 MR. HASSID: Objection.

5 A. I don't remember, I may have, but I  
6 don't remember.

7 Q. Did Mr. Mochkin also receive a  
8 commission from the buyer of the Tri-County  
9 Mall?

10 A. I don't know.

11 Q. You are not aware of whether he  
12 received a substantial commission from the  
13 buyer?

14 A. No, I am not.

15 Q. I will ask you to hold on to that  
16 document. Put it aside for a second.

17 This will be Sater 24. I'm handing  
18 you a document Bates stamped Herz 0004521.

19 (Sater Exhibit 24, document bearing  
20 Bates stamp Nos. Herz 0004521, marked  
21 for identification.)

22 Q. Do you recognize this document?

23 A. Not really.

24 Q. I will represent to you this is a  
25 document produced by Arnie Herz?

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2 A. Yes.

3 Q. Are you familiar with Mr. Herz?

4 A. Yes, I am.

5 Q. Mr. Herz has represented you or  
6 your companies in the past, is that correct?

7 A. Yes, he has.

8 Q. Please take a minute to read  
9 through this document.

10 A. Okay.

11 Q. This appears to be a letter from  
12 Arnie Herz to Nicolas Bourg, is that correct?

13 A. Yes.

14 Q. I will direct your attention to the  
15 second paragraph. Felix apprised me that the  
16 investor approved the commission as standard  
17 and reasonable under the circumstances and  
18 requested that I serve as an escrow agent for  
19 MeM as an accommodation to them. He informed  
20 me that MeM had done an amazing job and the  
21 investor wanted to maintain a good  
22 relationship with them.

23 Did I read that correctly?

24 A. Yes, you did.

25 Q. Who is the investor referred to

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2 here, do you know?

3 MR. HASSID: Object to form.

4 A. Ilyas.

5 Q. And is this letter correct when it  
6 says, Ilyas or the investor wanted to  
7 maintain a good relationship with MeM?

8 A. Yes.

9 Q. Why did Iliyas want to maintain a  
10 good relationship with MeM?

11 MR. HASSID: Object to form.

12 MR. SOLOMON: Object to form.

13 A. To do other deals. He represented  
14 a very large buyer and he found us a good  
15 buyer and it was the hope and intention he  
16 would continue finding us buyers.

17 Q. Was this already related to Mr.  
18 Mochkin's providing positive press coverage  
19 for the Ablyazov family?

20 MR. HASSID: Object to form.

21 A. I'm sure it had influence, I'm sure  
22 he thought highly of him for both items, but  
23 I don't know how to quantify what was  
24 connected.

25 Q. I will direct your attention to the



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2 fourth paragraph which reads, Contrary to  
3 what Felix told me, you informed me yesterday  
4 that you did not have any agreement with  
5 Felix Sater or MeM regarding the payment and  
6 amount of said commission and, therefore, you  
7 never approved the payment of the same.

8 Did I read that correctly?

9 A. Yes, you did.

10 Q. Is that an accurate statement?

11 A. From Arnie, I don't know what his  
12 statements were between him and Nicolas, I  
13 have no idea.

14 Q. Did you have an agreement to pay a  
15 commission to MeM?

16 A. Of course.

17 Q. Who approved that commission?

18 A. Ilyas.

19 Q. Did he personally approve of it?

20 A. Yes, he did.

21 Q. And he approved it in writing?

22 A. No.

23 Q. Verbally?

24 A. Yes.

25 Q. You can put that aside.